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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,340	04/12/2001	Rabindranath Dutta	AUS920010213US1	3781
35525	7590	06/20/2005	EXAMINER	
IBM CORP (YA)			MILEF, ELDA G	
C/O YEE & ASSOCIATES PC			ART UNIT	
P.O. BOX 802333			PAPER NUMBER	
DALLAS, TX 75380			3628	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/833,340	Applicant(s) DUTTA ET AL.	
	Examiner Elda Milef	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/16/2001</u> . | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

2. Claims 1-3, 6-11, 14-19, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramster (Ramster, Claire. *End of the Paper Chase. Banking Technology*, v14, n6, p32-36, Jul/Aug 1997.) in view of AT&T (At&T Global's Check

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Image Feature Expected to Boost Deposits at ATMs. American Banker. Vol. CLIX, n 236, p17 December 09,1994).

Re claim 1: Ramster discloses:

receiving a check image of the check from an automatic teller machine, wherein the check image is generated by a scanner in the automatic teller machine; and performing check clearing processes using the check image and the data. ("Some scanners are located at the point where documents are accepted. For example, scanners are found next to bank tellers and in ATMs to capture images of cheques as they are deposited. Scanners can also have built-in software which automatically processes, recognises [sic] and enters information (such as amounts and account numbers) as the image is scanned.")—see p.2, para. 2,3.

Ramster does not disclose performing optical character recognition on the check image to generate data. AT&T however, discloses ("AT&T Global Information Solutions (Dayton, OH) has released a new automated teller machine (ATM) that displays an image of a check deposited for the customer to see and electronically scans for signatures and amounts for accuracy and completion. The machine, called a DP-ATM, can also be designed to handle magnetic ink character recognition and optical character recognition...")—see lines 1-6. Therefore, it would have been obvious to one of ordinary skill in the art at

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the time the invention was made to have modified Ramster by incorporating scanning the check image using optical character recognition to generate data, as was done by AT&T, in order to use the data in processing the check, provide information to customers, and increase the speed of processing the check information.

Re claim 2: Ramster discloses:

sending the check image to an issuer of the check.

("Rather than providing the information in mountains of unwieldy paperwork, the customers receive data and images in a manageable disk format that lets them search for specific information quickly. Wachovia also provides software that enables customers to manage the images and data and even have online access to information stored in the corporation's archives.

This is also beneficial to Wachovia Corp. It does not have to pay to send heaps of processed cheques to customers for their own records. and neither Wachovia nor its customers have to rehandle the same bits of paper when the cheques are sent out.")-see p.3, para. 8,9.

Re claim 3: Ramster discloses:

printing the check image on paper to form a paper

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copy of the check; and sending the paper copy of the check to the issuer. ("Rather than providing the information in mountains of unwieldy paperwork, the customers receive data and images in a manageable disk format that lets them search for specific information quickly. Wachovia also provides software that enables customers to manage the images and data and even have online access to information stored in the corporation's archives.

This is also beneficial to Wachovia Corp. It does not have to pay to send heaps of processed cheques to customers for their own records. And neither Wachovia nor its customers have to rehandle the same bits of paper when the cheques are sent out.")-see p.3, para. 8,9.

Re claim 6: Ramster discloses:

the check image received from an automatic teller machine through a communications link. ("ImageMark Image Capture, can image a cheque deposited in a branch or at an ATM. Once captured, the cheque's image becomes part of work procedures. The cheque's information can be viewed by authorised [sic] network users, such as call centre operators or even customers that are linked up to the bank system via their own PCs. Accessing an image on a network is faster than hunting for paper-based information, and therefore cheque imaging should be more productive, improving customer satisfaction.") -see p.2, para. 7,8.

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Re claim 7: Ramster discloses:

wherein the data processing system is located at a bank.
("For example, scanners are found next to bank tellers and in ATMs to capture images of cheques as they are deposited.")-see p. 2, para. 2.

Re claim 8: Ramster discloses:

the data processing system is an automatic teller machine.
("For example, scanners are found next to bank tellers and in ATMs to capture images of cheques as they are deposited.

Scanners can also have built-in software which automatically processes, recognises and enters information (such as amounts and account numbers) as the image is scanned.")-see p.2, para. 2,3.

Claims 9-11, 14-19,22-24 have similar limitations found in claims 1-3, 6-8 above, therefore are rejected by the same rationale.

3. Claims 4,12, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramster (Ramster, Claire. *End of the Paper Chase. Banking Technology*, v14, n6, p32-36, Jul/Aug 1997.) in view of AT&T (*At&T Global's Check Image Feature Expected to Boost Deposits at ATMs. American Banker*. Vol. CLIX,

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n 236, p17 December 09,1994. as applied to claims 1,9, and 17 above and in further view of Jones (US PG Pub. US2002/0145035 A1).

Re claim 4: Ramster and AT&T do not disclose:

the check image includes a front side and a back side of the check. Jones however, teaches ("When the document moves into a position 76b, the image of one of the first or second sides of the document travels along a first path 72 to a mirror 70. The image is then reflected by the mirror 70 along a second path 74 to a scanhead 80. The scanhead 80 is rotatable as shown. Thus, one side of the document is imaged using reflection techniques.

The document 61 then moves into position 76c where the image of the other of the first and second sides of the document is scanned by the scanhead 80.")-see p. 4, para. 46,47. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Ramster and AT&T by incorporating that the check image include a front side and a back side of the check in order to access valuable information such as endorsement information and bank information.

Claims 12 and 20 have similar limitations found in claim 4 above, therefore are rejected by the same rationale.

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4. Claims 5,13, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramster (Ramster, Claire. *End of the Paper Chase. Banking Technology*, v14, n6, p32-36, Jul/Aug 1997.) in view of AT&T (At&T Global's Check Image Feature Expected to Boost Deposits at ATMs. *American Banker*. Vol. CLIX, n 236, p17 December 09,1994. as applied to claims 1,9, and 17 above and in further view of Doggett et al. (US Patent No. 5,677,955).

Re claim 5: Ramster and AT&T do not disclose:

performing check clearing processes includes:

adding overlay prints showing who is clearing the check.

Doggett et al. disclose ("Also appended to the instrument may be digital representations of a verifiable signature of the payee, a verifiable certificate by an institution which holds an account of the payee, and a verifiable certificate by a central banking authority with respect to the institution which holds the payee's account.")-see col.3, lines 30-35. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Ramster and AT&T by incorporating that the check clearing process include adding overlay prints or a "verifiable certificate" as stated by

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Doggett et al. in order to provide a record of the institution who is clearing the check.

Claims 13 and 21 have similar limitations found in claim 5 above, therefore are rejected by the same rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,189,785 (Lowery) cited for its reference to a demand deposit account data processing system that allows merchants to settle transactions on line and in real time.

US Patent No. 6,754,640 (Bozeman) cited for its reference to an universal positive pay match, authentication, authorization, clearing and settlement system to reduce check and card fraud.

Anderson, Julia. *Checking In, Checking Out*. Columbian. Vancouver, Wash.: Mar 28, 1999. pg. e.1.

O'Brien, Jeanne. *The Changing Face of ATM Networks*. Bank Systems & Technology; July 2000, 37, 7, pp.38-42. Cited for its reference to the new technology in ATMs and the conversion of paper checks to point of sale electronic transactions.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elda Milef whose telephone number is (571)272-8124. The examiner can normally be reached on Monday - Friday 9:15 am to 5:45 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571)272-6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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